



Executive Summary: State Route 18 - Maple Valley to Issaquah Hobart Road Compliance Investigation

The Washington State Department of Transportation (WSDOT) is widening State Route 18 between Maple Valley and Issaquah Hobart Road. Because this project unavoidably affects environmentally sensitive areas, we are building or improving 49 acres of wetlands. Before construction could begin, we obtained necessary permits from environmental regulatory agencies. These permits outline conditions and rules that govern the construction project.

On December 22, 2003, WSDOT's contractor began storing woody material in an environmentally sensitive wetland, known as Mitigation Site 2, located in the southwest quadrant of the intersection of State Route 18 and 244th Avenue Southeast. Over the next fourteen weeks crews covered approximately one acre of reed canary grass wetland. On April 8, 2004, WSDOT staff reported the placement of unauthorized fill, a Section 404 environmental permit violation, to the U.S. Army Corps of Engineers, King County, Washington State Department of Ecology, and Washington State Department of Fish and Wildlife.

On April 10, 2004, a team of WSDOT experts were asked to investigate the permit violation and recommend steps WSDOT should take to prevent future environmental violations. Investigators visited the construction site, interviewed twenty people, and reviewed documents and e-mail correspondence. The information they gathered and their recommendations are included in detail in this report.

What did the investigation team find?

The investigation team found that the violation developed due to multiple factors:

- Internal communication problems
- Assumptions, misinterpreted terminology and faulty logic
- Comments regarding contract means and methods at 90 percent design were not addressed and resolved
- Use of unsuitable woody debris and separation of woody debris and fine materials

The investigation team also found the following factors which would not have prevented the violations but should still be addressed to make environmental requirements clearer:

- Environmental requirements were not incorporated into contract provisions
- WSDOT's standard contract allows work in wetlands without an approved roadside work plan

What actions should WSDOT take to prevent similar problems from happening again?

- Bring together the right people to solve problems
- Establish Environmental Technical Advisors
- Separate compliance roles and responsibilities from project delivery roles and responsibilities
- Fence all sensitive areas and enhance plan sheets
- Develop proven and acceptable methods for work in streams and wetlands
- Revise standard specifications
- Improve working relationships with regulatory agency staff
- Establish a consistent naming convention to identify sensitive areas
- Improve environmental training for project inspection staff and contractors